

PART 199—DRUG AND ALCOHOL TESTING

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AUTHORITY: 49 U.S.C. 5103, 60102, 60103, 60104, 60108, 60109, 60118; and 49 CFR 1.53.

SOURCE: 53 FR 47096, Nov. 21, 1988, unless otherwise noted.

Subpart A

§ 199.1 Scope and compliance.

(a) This part requires operators of pipeline facilities subject to part 192,

193, or 195 of this chapter to test employees for the presence of prohibited drugs and provide an employee assistance program. However, this subpart does not apply to operators of “master meter systems” as defined in § 191.3 of this chapter or to liquefied petroleum gas (LPG) operators.

(b) Operators with more than 50 employees subject to drug testing under this part need not comply with this part until April 20, 1990. Operators with 50 or fewer employees subject to drug testing under this part need not comply with this part until August 21, 1990.

(c) This part shall not apply to any person for whom compliance with this part would violate the domestic laws or policies of another country.

(d) This part is not effective until January 2, 1995, with respect to any employee located outside the territory of the United States.

[53 FR 47096, Nov. 21, 1988, as amended by Amdt. 199-1, 54 FR 14923, Apr. 13, 1989; Amdt. No. 7, 57 FR 31280, July 14, 1992; 58 FR 68260, Dec. 23, 1993]

§ 199.3 Definitions.

As used in this part—

Accident means an incident reportable under part 191 of this chapter involving gas pipeline facilities or LNG facilities, or an accident reportable under part 195 of this chapter involving hazardous liquid pipeline facilities.

Administrator means the Administrator of the Research and Special Programs Administration or any person to whom authority in the matter concerned has been delegated by the Secretary of Transportation.

DOT Procedures means the *Procedures for Transportation Workplace Drug Testing Programs* published by the Office of the Secretary of Transportation in part 40 of this title.

Employee means a person who performs on a pipeline or LNG facility an operating, maintenance, or emergency-response function regulated by part 192, 193, or 195 of this chapter. This does not include clerical, truck driving, accounting, or other functions not subject to part 192, 193, or 195. The person may be employed by the operator, be a contractor engaged by the operator, or be employed by such a contractor.